Merrill Schneider, OSB #77336 merrillschneider@schneiderlaw.com Schneider Kerr Law Offices P.O. Box 14490 Portland, Oregon 97293

Phone: 503-255-9092 Fax: 503-255-9145

## UNITED STATES DISTRICT COURT DISTRICT OF OREGON

IGOR ZAVALIN,	) ) ) 3:12-cv-00114-MO
Plaintiff -Appellant,	) ) )
V.	NOTICE OF APPEAL
CAROLYN W. COLVIN, <sup>1</sup> COMMISSIONER OF SOCIAL SECURITY ADMINISTRATION,	) ) ) )
Defendant-Appellee.	) ) )

<sup>&</sup>lt;sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit pursuant to the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

NOTICE IS HEREBY GIVEN that the above-captioned Plaintiff-Appellant ("Plaintiff") hereby appeals to the United States Court of Appeals for the Ninth Circuit, from the final JUDGMENT of this court, entered on February 7, 2013, dismissing Plaintiff's case and affirming the October 28, 2010, final decision of the Defendant-Appellee denying Plaintiff's claim for benefits under the Social Security Act.

The following representation statement is submitted pursuant to FRAP 12(b), and Circuit Rule 3-2(b):

Parties: Igor Zavalin: Plaintiff -Appellant;

Carolyn W. Colvin, Commissioner of Social Security Administration: Defendant-Appellee.

Counsel for Plaintiff-Appellant:

MERRILL SCHNEIDER

merrillschneider@schneiderlaw.com

Schneider Kerr Law Offices

P.O. Box 14490

Portland, Oregon 97293 Phone: 503-255-9092 Fax: 503-255-9145

Counsel for Defendant-Appellee:

S. AMANDA MARSHALL United States Attorney District of Oregon

ADRIAN L. BROWN

**Assistant United States Attorney** 

1000 SW Third Avenue, Suite 600 Portland, OR 97201-2902 Telephone: 503- 727-1003

Fax: 503-727-1117

DAVID MORADO Regional Chief Counsel

BRETT ECKELBERG Special Assistant United States Attorney Office of the General Counsel Social Security Administration 701 Fifth Avenue Suite 2900 M/S 221A Seattle, WA 98104-7075 Telephone: (206) 615-3717

Fax: (206) 615-2531

Dated this day 4th day of April, 2013.

Respectfully submitted,

/s/ Merrill Schneider Merrill Scheider, OSB #77336 Attorney for Plaintiff-Appellant

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Plaintiff's Notice of Appeal was filed with the Clerk of the Court on April 4, 2013, using the CM/ECF system which will send notification of such filing to the following: <u>Adrian L. Brown</u>, and <u>Brett Eckelberg</u>.

/s/ Merrill Schneider Attorney for Plaintiff-Appellant